

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
AUGUST 2, 2016**

**ITEM 2**

**SUBJECT**

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE A THREE-YEAR INTERAGENCY AGREEMENT WITH THE CALIFORNIA HIGH SPEED RAIL AUTHORITY TO SUPPORT PERMITTING SCHEDULED DURING THE FISCAL YEARS 2016-17, 2017-18 AND 2018-19 FOR APPROXIMATELY \$1.161 MILLION.

**DISCUSSION**

The 401 Certification Program at the State Water Resources Control Board (State Water Board) regulates discharges of fill and dredged material to all waters of the state, including waters of the U.S. under Clean Water Act (CWA) section 401 and the Porter Cologne Water Quality Control Act. The California High Speed Rail Authority (HSRA) is responsible for planning designing, building and operation of the first high-speed rail (HSR) system in the nation. This project is a priority for the Governor and was highlighted in his 2012 State of the State Address. Proposition 1A, which provided funding for the HSR project, included funding directives that require the HSRA to expedite the permitting process for the statewide HSR project.

Given the scope and complexity of the HSR project, the number of environmental documents requiring review and the number of permits to be issued, additional State Water Board staff is needed to meet the HSRA's project development deadlines.

The State Water Board and HSRA are drafting a new three year agreement for Fiscal Years 2016-17, 2017-18 and 2018-19 for an amount not to exceed \$1.161 million. With approval of this new agreement, the State Water Board will have sufficient resources to meet the requested HSRA permitting schedule.

**POLICY ISSUE**

Should the State Water Resources Control Board authorize new funding for 401 certification unit staff?

**FISCAL IMPACT**

Staff work associated with or resulting from the action can be accomplished within budgeted resources.

**REGIONAL BOARD IMPACT**

None.

## **STAFF RECOMMENDATION**

Authorize the Executive Director or designee to execute a three-year Interagency Agreement with HSRA to meet the HSRA requested permitting schedule during the fiscal years 2016-17, 2017-18 and 2018-19 for approximately \$1.161 million.

State Water Board action on this item will assist the Water Boards in reaching Goal 5 of the Strategic Plan Update: 2008-2012 to improve transparency and accountability by ensuring that Water Board goals and actions are clear and accessible, by demonstrating and explaining results achieved with respect to the goals and resources available, by enhancing and improving accessibility of data and information, and by encouraging the creation of organizations or cooperative agreements that advance this goal, such as establishment of a statewide water data institute. In particular, approval of this item will assist in fulfilling Objective 5.1 to improve the current Water Board systems, programs, functions, and core business processes to enhance effective and consistent implementation of Water Board plans and policies, and State and federal laws and regulations, and to reduce processing time and costs.

# **D R A F T**

## **STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2016-**

AUTHORIZE THE EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE A THREE-YEAR INTERAGENCY AGREEMENT WITH THE CALIFORNIA HIGH SPEED RAIL AUTHORITY TO SUPPORT PERMITTING SCHEDULED DURING THE FISCAL YEARS 2016-17, 2017-18 AND 2018-19 FOR APPROXIMATELY \$1.161 MILLION.

### WHEREAS:

1. The California High Speed Rail Authority (HSRA) will provide reimbursement funds for State Water Resources Control Board (State Water Board) oversight of Clean Water Act, Section 401 related items;
2. The State Water Board 401 Certification Program anticipates significant increased demands on staff resources due to HSRA's requested permitting schedule;
3. Approval of a new three-year Interagency Agreement with HSRA will ensure that there will be funding for State Water Board oversight of HSRA project sites sufficient to meet the needs of HSRA's requested permitting schedule.

### THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director or designee to execute a three-year Interagency Agreement with HSRA to meet requested permitting schedule during the Fiscal Years 2016-17, 2017-18 and 2018-19 for approximately \$1.161 million.

### **CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 2, 2016.

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Jeanine Townsend  
Clerk to the Board